



CITY OF CEDAR PARK
PLANNING & ZONING COMMISSION
TUESDAY, JANUARY 15, 2013 AT 6:30 P.M.
450 CYPRESS CREEK ROAD, BUILDING FOUR
CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

- | | | |
|---|--|--|
| <input type="checkbox"/> SCOTT ROGERS, Place 1 | <input type="checkbox"/> NICHOLAS KAUFFMAN, Place 5, Chair | <input type="checkbox"/> VACANT, Place 4 |
| <input type="checkbox"/> THOMAS BALESTIERE, Place 2 | <input type="checkbox"/> KELLY BRENT, Place 7 | <input type="checkbox"/> HOLLY HOGUE, Place 6, |
| <input type="checkbox"/> MICHAEL DION, Place 3 | | Secretary |

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS
3. MINUTES: Approve Minutes from the Regular Meeting of December 18, 2012
4. CITIZEN COMMUNICATIONS (Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)
5. RECOGNITION OF FORMER PLANNING AND ZONING COMMISSIONER(S)
 - A. Lorena Echeverria de Misi
 - B. Jon Lux
6. CONSENT AGENDA:
 - A. STATUTORY DISAPPROVAL:
(Note: In accordance with the statutory requirements of the Texas Local Government Code reflected in City Ordinance Sections 12.03.001, 12.05.004, 12.06.004 the following applications are recommended for statutory disapproval in order to allow the City to process the application. These applications will continue through the review process without bias and will be placed on the agenda in a timely manner once the review process is complete. Disapproval in order to meet the statutory requirements under these sections shall not bias future consideration of this application by the Planning and Zoning Commission.)
 1. Cedar Park Ranchettes Unit Two, Resubdivision of Lot 6 & 8 Block 4 (SFP-12-018)
4.18 acres, 3 commercial lots
Located on the south side of West Whitestone Boulevard at Bagdad Road
Owner: Jimmy Nassour
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove
 2. Parkwest Estates Lot 41, Block B (SFP-12-019)
0.665 acres, 1 single family lot
Located on Cedar Park Drive west of Bell Boulevard
Owner: Bob Gilfillan
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove

B. SUBDIVISION APPROVALS:

1. Caballo Ranch Section 3B (FP-12-018)
1.16 acres, 4 single family lots, 1 drainage easement lot
Located at the northwest corner of Caballo Ranch Boulevard and Manada Trail
Owner: Caballo Ranch Investment LP & B Bonnet Investment LP
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve
2. Twin Creeks Section 18 Plat Vacation
20.45 acres located on Arrow Point Drive south of East Whitestone Boulevard
Owner: Scott Muller
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve
3. Twin Creeks Section 18 (SFP-12-017)
20.45 acres, 2 single family lots, 1 townhome lot
Located at 3201 Abbotsbury Drive
Owner: Scott Muller
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve

7. POSTPONEMENT/WITHDRAWN/PULLED REQUESTS:

- A. Caspita Industries Inc. Z-12-020 – Postponement request by applicant to February 19, 2013

8. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS:

- A. Cedar Park Warehouse and Storage, Z-12-018 (related to item 9A)

9. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

- A. Consider a request by Cedar Park Warehouse and Storage LLC to assign original zoning of General Retail (GR) to approximately 0.5 acres and rezone approximately 0.924 acres from Commercial Services (CS) to General Retail (GR) for property located at the northeast corner of West Whitestone Boulevard and Power Lane. (Z-12-018)
Owner: Cedar Park Warehouse and Storage LLC
Agent: David Singleton
Staff Resource Person: Amy Link
Staff proposal to P&Z: General Retail (GR)
1) Public Hearing
2) P&Z Recommendation to City Council
3) P&Z Adoption of Final Report

10. FUTURE LAND USE PLAN AMENDMENTS:

- A. Future Land Use Amendment for property located at the northeast corner of West Whitestone Boulevard and Power Lane (related to Z-12-018)

11. SUBDIVISIONS (ACTION AND PUBLIC HEARING): **NONE**

12. CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING): **NONE**

13. DISCUSSION AND POSSIBLE ACTION:

A. Ordinance amendments

1. Discussion and possible action on a proposed revision to Chapter 11, Zoning Ordinance, Article 11.02 Zoning Districts and Regulations, Division 35 Conditional Use Regulations to revise the criteria for conditional uses and establish a special use permit; and to amend Division 37 Land Use Chart Comparison, to identify conditional and special uses. Postponed from December 18, 2012.
2. Discussion and possible action on a proposed revision to Chapter 11 Zoning Ordinance, Article 11.03 Height, Setback and Lot Requirements for All Districts; and Article 11.12 Definitions to add definitions for existing and finished grade and establish height requirements based upon existing or finished grade.
3. Discussion on a proposed revision to Chapter 11 Zoning Ordinance, Article 11.02 Zoning Districts and Regulations, Division 14 Multifamily Residential District, to add design requirements for multifamily developments. (OA-12-008) Postponed from December 18, 2012.

14. ADMINISTRATIVE ITEMS:

(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)

- A. Report on City Council Actions Pertaining to Zoning Matters from December 20th and January 10th
- B. Director and Staff Comments
 1. Special called Planning and Zoning Commission meeting
 2. Board of Adjustment (BOA) meeting on January 31st
 3. Joint meeting with City Council
- C. Commissioners Comments
- D. Request for Future Agenda Items
- E. Designate Delegate to Attend Next Council Meetings on January 24, 2013 and February 14, 2013.

15. ADJOURNMENT

The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

All agenda items are subject to final action by the Planning and Zoning Commission.

Any item on this posted agenda may be discussed in Executive Session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concerns the purchase, exchange, lease or value of real property; the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee; the deployment or use of security personnel or equipment; or requires consultations with the City Attorney.

At the discretion of the Planning and Zoning Commission, non-agenda items may be presented by citizens to the Planning and Zoning Commission for informational purposes; however, by law, the Planning and Zoning Commission shall not discuss, deliberate or vote upon such matters except that a statement of specific factual information, a recitation of existing policy, and deliberations concerning the placing of the subject on a subsequent agenda may take place.

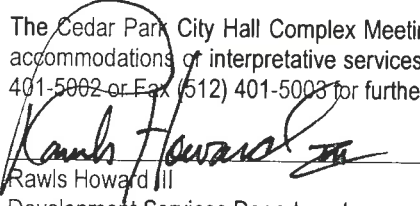
The City Attorney has approved the Executive Session Items on this agenda, if any.

CERTIFICATE

I certify that the above notice of the Regular Called Planning and Zoning Commission Meeting of the City of Cedar Park, Texas was posted on the bulletin board of the City of Cedar Park City Hall, 450 Cypress Creek Road, Building Four, Cedar Park, Texas. This notice was posted on:

JAN 11 '13 AM 9:56
JAN 11 '13 AM 9:56
Date Stamped (Month, Day, Year, AM/PM, Time)

The Cedar Park City Hall Complex Meeting Rooms are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretative services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (512) 401-5002 or Fax (512) 401-5003 for further information.


Rawls Howard III

Development Services Department

Notice Removed: _____
Date Stamped (Month, Day, Year, AM/PM, Time)

MINUTES FOR
CITY OF CEDAR PARK
PLANNING & ZONING COMMISSION
TUESDAY, DECEMBER 18, 2012 AT 6:30 P.M.
450 CYPRESS CREEK ROAD, BUILDING FOUR, CEDAR PARK, TEXAS 78613

COMMISSION MEMBERS

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> SCOTT ROGERS, Place 1 | <input checked="" type="checkbox"/> NICHOLAS KAUFFMAN, Place 5, Chair | <input type="checkbox"/> VACANT, Place 4 |
| <input checked="" type="checkbox"/> THOMAS BALESTIERE, Place 2 | <input checked="" type="checkbox"/> KELLY BRENT, Place 7 | <input checked="" type="checkbox"/> HOLLY HOGUE, Place 6, Secretary |
| <input type="checkbox"/> MICHAEL DION, Place 3 | | |

1. CALL TO ORDER, QUORUM DETERMINED, MEETING DECLARED OPEN
Chair Kauffman called the meeting to order at 6:30 P.M. He read the "Chairman's Sheet" explaining the meeting procedures. Commissioner Dion was absent. Place 4 was vacant. Five Commissioners were present and a quorum was declared.

Chair Kauffman introduced Kelly Brent as the new Commissioner for Place 7.

2. PLEDGE OF ALLEGIANCE TO THE U.S. AND TEXAS FLAGS
Chair Kauffman led the audience in the U.S. Pledge of Allegiance and the Texas Pledge.
3. MINUTES: Approve Minutes from the Regular Meeting of November 20, 2012
MOTION: Commissioner Balestiere moved to approve the Minutes of the Regular Meeting of November 20, 2012 Minutes as submitted. Secretary Hogue seconded the motion. The motion passed unanimously, 5-0, with one absent and Place 4 vacant.
4. CITIZEN COMMUNICATIONS *(Not For Items Listed On This Agenda. Three Minutes Each. No Deliberations With Commissioners. Commissioners May Respond With Factual Information.)* **None.**
5. CONSENT AGENDA:
A. STATUTORY DISAPPROVAL:
- 1. RR Tract Preliminary Plan (PP-12-007)
22.15 acres, 88 townhome lots, 2 open space lots, 1 water quality pond lot
Located on the west side of Ronald Reagan Boulevard, north of RM 1431
Owner: Bula Lewis Farms
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove
 - 2. Twin Creeks Section 18 Resubdivision (SFP-12-017)
20.45 acres, 2 single family lots, 1 townhome lot
Located at 3201 Abbotsbury Drive
Owner: Scott Muller
Staff Resource: Amy Link
Staff Proposal to P&Z: Statutorily Disapprove
 - 3. Twin Creeks Country Club Section 11 Resubdivision (SFP-12-016)
8.09 acres, 1 amenity lot, 1 residential lot
Located at 3201 Twin Creeks Club Drive
Owner: Twin Creeks Golf Group LP
Staff Resource: Amy Link

Staff Proposal to P&Z: Statutorily Disapprove

B. SUBDIVISION APPROVALS:

1. Caspita (FP-12-017)
4.53 acres, 1 commercial lot
Located on South Lakeline Boulevard, just north of Old Mill Road
Owner: Caspita Industries Limited
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve
2. Abrantes Phase I (FP-12-016)
20.54 acres, 29 single family lots, 1 drainage/water quality lot, 1 public utility easement lot and 3 private street lots
Located on Arrow Point Drive south of East Whitestone Boulevard
Owner: Alkire LLP and Creekside Park LTD
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve
3. Cedar Park Town Center Phase II (PP-12-006)
49.12 acres, 11 commercial lots, 1 trail/open space lot
Located at northwest corner of 183A Toll Road and East Whitestone Boulevard.
Owner: Cedar Park Town Center, LP
Agent: Brian Parker, Kimley-Horn and Associates
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve
4. Cedar Park Town Center Phase II (FP-12-015)
49.12 acres, 11 commercial lots, 1 trail/open space lot
Located at northwest corner of 183A Toll Road and East Whitestone Boulevard.
Owner: Cedar Park Town Center, LP
Agent: Brian Parker, Kimley-Horn and Associates
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve

MOTION: Secretary Hogue moved to recommend approval of Consent Agenda Items 5A1 through 5B4 as presented. Commissioner Rogers seconded the motion. The motion passed unanimously, 5-0, with one absent and Place 4 vacant.

6. POSTPONEMENT/WITHDRAWN/PULLED REQUESTS:

A. Cedar Park Town Center Phase II Flag Lot Variance (PP-12-006) **Withdrawn**
Planning Manager Amy Link advised that staff had determined that a variance was not necessary, but because notifications were made, this item had to be put on the agenda. No action taken.

B. Discussion and possible action on a proposed revision to Chapter 11, Zoning Ordinance, Article 11.02 Zoning Districts and Regulations, Division 35 Conditional Use Regulations to revise the criteria for conditional uses and establish a special use permit; and to amend Division 37 Land Use Chart Comparison, to identify conditional and special uses. **Postpone to January 15, 2013**
Planning Manager Amy Link advised that staff needed more time and requested a postponement to January 15, 2013.

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MOTION: Commissioner Rogers moved to postpone Item 6B to January 15, 2013. Commissioner Balestiere seconded the motion. The motion passed unanimously, 5-0, with one absent and Place 4 vacant.

7. STAFF REPORTS – ACCEPTANCE OF PRELIMINARY REPORTS:

A. 100 and 102 Valk Street, Z-12-017 (related to item 8A)

MOTION: Commissioner Rogers moved to accept the Preliminary Report for Item 7A as presented by Staff. Secretary Hogue seconded the motion. The motion passed unanimously, 5-0, one absent and Place 4 vacant.

8. ZONING PUBLIC HEARINGS AND COMMISSION RECOMMENDATIONS:

A. Consider a request by Kenneth and Beatrice Fincher to rezone approximately 0.43 acres from Local Retail (LR) to Duplex Residential (DP) for property located at 100 and 102 Valk Street. (Z-12-017)

Owner: Kenneth and Beatrice Fincher

Staff Resource Person: Amy Link

Staff proposal to P&Z: Local Retail (LR)

1) Public Hearing

2) P&Z Recommendation to City Council

3) P&Z Adoption of Final Report

Planning Manager Amy Link made the presentation and was available for questions. The applicant requested rezoning approximately 0.43 acres located at 100 and 102 Valk Street from Local Retail (LR) to Duplex Residential (DP). The Neighborhood Communication Summary was not submitted by the applicant.

Staff did not support the applicant's request due to the following: 1) the applicant's request is not compliant with the Future Land Use Plan (FLUP); 2) the request would not support the economic development goals of the Comprehensive Plan, specifically those geared toward providing increased sales tax revenues and retail growth; and 3) the Bell Boulevard corridor was established as a commercial artery. The City is currently drafting a redevelopment plan along Bell Boulevard that will encourage revitalization of this arterial. This site is located at the corner of a major arterial and a duplex zoning designation would limit future commercial development of this tract. Staff recommended retention of the Local Retail (LR) designation.

The applicant, Kenneth Fincher, was present. He advised that the properties had always functioned as duplexes. He advised he was having problems with the lenders because the property is zoned differently than the use.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

There was general discussion among the Commissioners concerning the need to focus on land use and the appropriateness of the rezoning request. The Commissioners discussed that the existing zoning appears appropriate for frontage along Bell Boulevard.

MOTION: Commissioner Rogers moved to recommend disapproval to the City Council of rezoning approximately 0.43 acres from Local Retail (LR) to Duplex Residential (DP) for property located at 100 and 102 Valk Street (Z-12-017) as recommended by staff. Commissioner Brent seconded the motion. The motion passed unanimously, 5-0, one absent and Place 4 vacant.

MOTION: Commissioner Rogers moved to accept the Preliminary Report with the Commission's recommendation as the Final Report for Item 8A, Case Z-12-017. Commissioner Balestiere seconded the motion. The motion passed unanimously, 5-0, with one absent and Place 4 vacant.

9. FUTURE LAND USE PLAN AMENDMENTS:

- A. Future Land Use Amendment for property located at 100 and 102 Valk Street (related to Z-12-017)

Planning Manager Amy Link made the presentation and was available for questions. She advised that staff did not recommend any changes.

MOTION: Commissioner Rogers moved to recommend disapproval to the City Council of amending the Future Land Use Plan for Case Z-12-017 as presented by Staff. Commissioner Brent seconded the motion. The motion passed unanimously, 5-0, one absent and Place 4 vacant.

10. SUBDIVISIONS (ACTION AND PUBLIC HEARING):

- A. Parkwest Estates Section 1, Resubdivision of a portion of Lots 1, 2, and 3 of Cedar Park Ranchettes (FP-12-010)
16.387 acres, 44 single family lots
Located on the north side of West Park Street, just west of Parkway Drive
Owner: RH of Texas Limited Partnership
Staff Resource: Amy Link
Staff Proposal to P&Z: Approve
1) Public Hearing
2) P&Z Action

Planning Manager Amy Link made the presentation and was available for questions. She advised that staff had reviewed the plat and it met all state and local requirements. Staff recommended approval of the plat. The applicant, Royce Rippy, was present.

A public hearing was held on the above item. The following completed Recognition Cards: 1) Lacy Browning spoke in opposition of the applicant's request. 2) Les Wilson advised that he was not opposed unless water floods his property. The speakers were concerned with traffic and drainage issues. There being no further public testimony, the public hearing was closed and the regular session reopened.

Planning Manager Amy Link advised that the applicant has an easement for a detention area south of Park Street.

MOTION: Commissioner Rogers moved to recommend approval of Item 10A, Case FP-12-010, as presented by Staff. Secretary Hogue seconded the motion. The motion passed unanimously, 5-0, one absent and Place 4 vacant.

11. CONDITIONAL USE SITE DEVELOPMENT (ACTION AND PUBLIC HEARING): **NONE**

12. DISCUSSION AND POSSIBLE ACTION:

- A. Ordinance amendments
1. Discussion and Possible Action on a proposed revision to Chapter 11, Zoning Ordinance, Article 11.02 Zoning Districts and Regulations; to renumber Division 37: Land Use Chart

Comparison to Division 38 and to rename Division 37, establishing an Entertainment Center Overlay. (OA-12-005)

Director Rawls Howard made the presentation and was available to answer questions. Staff recommended:

- 1) Office uses shall be limited to 10% of the total land area for each parcel located in the Entertainment Center Overlay (ECO). Calculation is based on the footprint of the building when offices uses are on the first floor. In instances where the first floor is not wholly office uses, the square footage of the office uses shall be prorated and calculated toward the overall 10% maximum. Office uses on second floor and above are exempt from this calculation.
- 2) Drive through services are prohibited.

There was general discussion among the Commissioners concerning the amount of office use allowed.

A public hearing was held on the above item. There being no public testimony, the public hearing was closed and the regular session reopened.

MOTION: Commissioner Rogers moved to approve Ordinance Amendment OA-12-005 as amended. Commissioner Brent seconded the motion. The motion passed unanimously, 5-0, one absent and Place 4 vacant.

2. Discussion and possible action on a proposed revision to Chapter 11 Zoning Ordinance, Article 11.02 Zoning Districts and Regulations, Division 14 Multifamily Residential District, to add design requirements for multifamily developments. (OA-12-008)

Director Rawls Howard made the presentation and was available for questions. He advised that the purpose of the proposed amendment was to apply aesthetic standards to multifamily buildings; set "bar" to market reality; ensure quality housing options exist throughout the City; provide amenities for citizens in these developments; and protect surrounding development from large, multifamily projects. The design standards proposed include the following: 1) Walls must provide offsets to prevent a "box" design; 2 foot offset/40 feet; 60 foot minimum wall length trigger; 2) 100% masonry standards is existing; proposing 50% be stone or brick; 3) Stairwells must be interior to structure; no exterior stairwells except for emergency access; and 4) Accessory structures need to be constructed of similar materials as principle buildings. Director Rawls Howard proposed design requirements concerning orientation, amenities, parking and buffering and setbacks.

There was general discussion among the Commissioners concerning the 50% stone or brick requirement as being too restrictive. Chair Kauffman requested that staff clarify what determines the width (long or short part of rectangle) when determining orientation. It was discussed that there be a maximum of six garage bays (or doors) in a row. Director Rawls Howard advised that staff would research proposed changes and bring suggestions to the January meeting.

MOTION: Commissioner Balestiere moved to table Item 12A2 to the January meeting. Secretary Hogue seconded the motion. The motion passed unanimously, 5-0, with one absent and one Place 4 vacant.

13. ADMINISTRATIVE ITEMS:

(Commissioners and staff may discuss items related to the Commission's general duties and responsibilities. The Commission may not take a vote.)

- A. Report on City Council Actions Pertaining to Zoning Matters from November 29th and December 13th

Director Rawls Howard advised that Jon Lux had been the representative at the meetings. Planning Manager Amy Link advised that at the November 29th meeting the 620 Self-Storage rezoning had been denied, the Dobbs Trust zoning and Future Land Use map amendment were approved, and the Wash N Roll appeal was withdrawn. She advised that the voluntary annexation was on the December 13th meeting to set the date, time and place for public hearing.

- B. Director and Staff Comments

1. Heritage Tree Ordinance Amendments

Director Rawls Howard advised that the City Council wanted to amend the Heritage Tree Ordinance. The amendment would have the appeals heard by the Planning and Zoning Commission instead of City Council. If the amendment passes, P&Z will be involved in Heritage Tree appeals in the future.

2. Plat Notes

Director Rawls Howard asked Commissioner Rogers for direction. Commissioner Rogers advised that he was concerned that there was "over-noting" on plats. He asked for staff's top ten standard plat notes. Director Howard explained that the plat notes are used for clarification for non-technical persons. Charles Rowland, City Attorney, advised that some notes are for legal requirements and/or enforcement. Director Howard advised he would research this item.

- C. Commissioners Comments. **NONE.**

- D. Request for Future Agenda Items.

It was noted that the plat note research would be on a future agenda, but it would not be ready for the January agenda.

- E. Designate Delegate to Attend Next Council Meetings on December 20, 2012 and January 10, 2013.

Chair Kauffman advised that he would try to attend the December 20th Council meeting. Secretary Hogue volunteered to attend the January 10th Council meeting.

14. ADJOURNMENT

Chair Kauffman adjourned the meeting at 9:13 p.m.

PASSED AND APPROVED THE 15TH DAY OF JANUARY, 2013.

NICHOLAS KAUFFMAN, Chairman

ATTEST:

HOLLY HOGUE, Secretary

10

January 15,
2013

Subdivision

Planning and Zoning Commission
**Cedar Park Ranchettes Unit Two,
Resubdivision of Lots 6 & 8 Block 4**

**Item:#
6A1**

Case Number: SFP-12-018

OWNER: Jimmy Nassour

STAFF: Amy Link, 401-5056, amy.link@cedarparktexas.gov

LOCATION: South side of West Whitestone Boulevard at Bagdad Road

COUNTY: Williamson

AREA: 4.18 acres

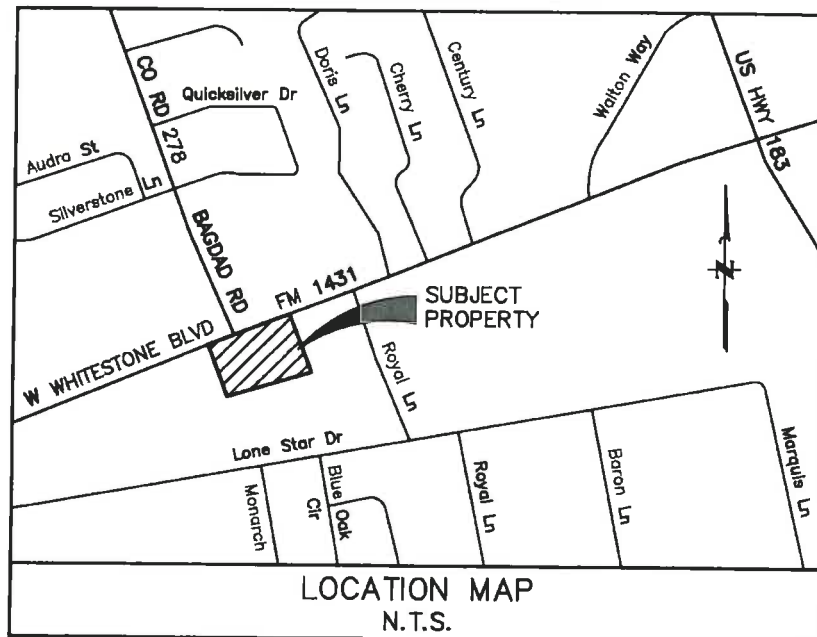
ZONING: Local Retail (LR) and General Retail (GR)

SUBDIVISION DESCRIPTION: 3 commercial lots

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



January 15, 2013 Subdivision	<i>Planning and Zoning Commission</i> Parkwest Estates Lot 41 Block B	Item:# 6A2
Case Number: SFP-12-019		

OWNER: Bob Gilfillan

STAFF: Amy Link, 401-5056, amy.link@cedarparktexas.gov

LOCATION: Cedar Park Drive, west of Bell Boulevard

COUNTY: Williamson

AREA: 0.665 acres

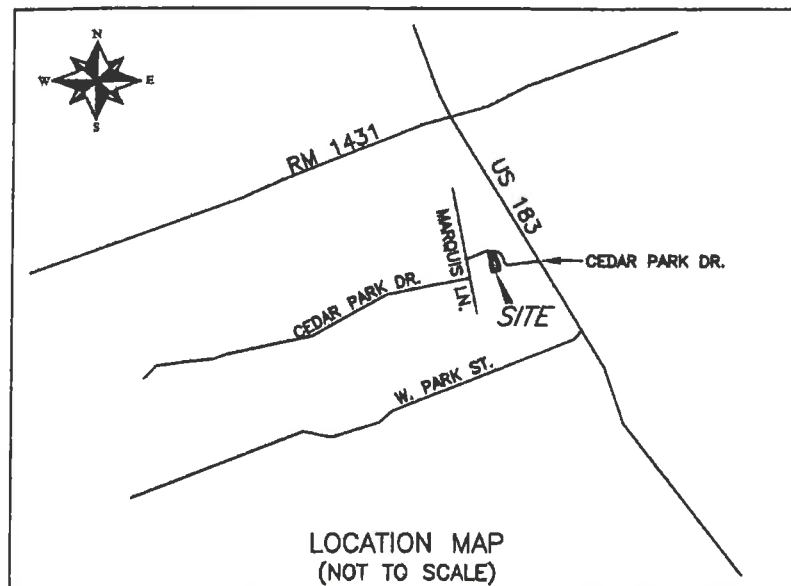
ZONING: SF

SUBDIVISION DESCRIPTION: 1 residential lot

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



Case Number: FP-12-018

OWNER: Caballo Ranch Investment LP & B Bonnet Investment LP

STAFF: Amy Link, 401-5056, amy.link@cedarparktexas.gov

LOCATION: Northwest corner of Caballo Ranch Boulevard and Manada Trail

COUNTY: Williamson

AREA: 1.16 acres

ZONING: SF-2

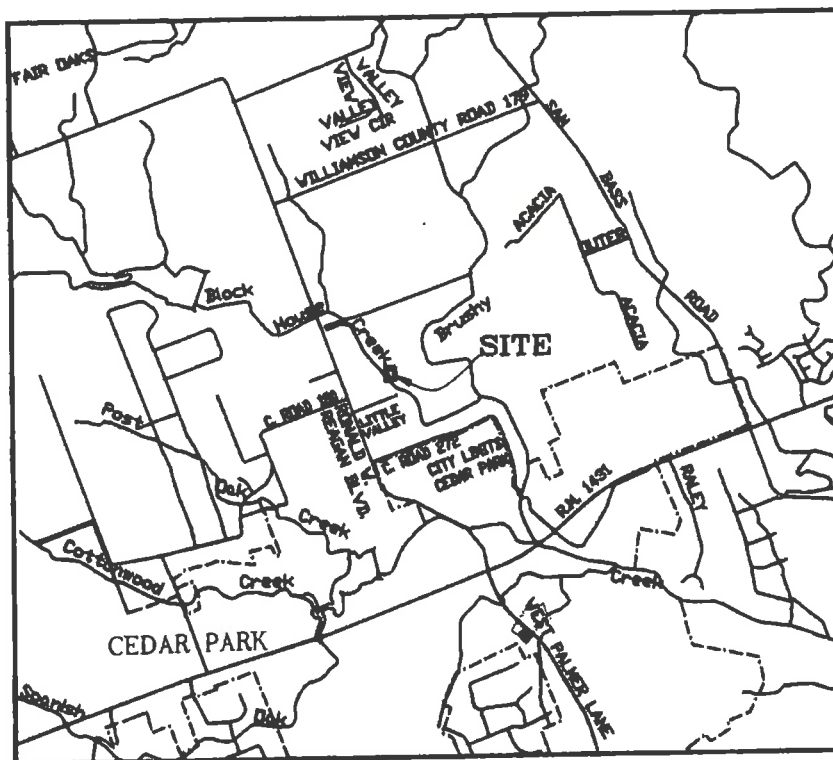
SUBDIVISION DESCRIPTION: 4 single family lots and 1 drainage easement lot

STAFF COMMENTS:

This plat meets all state and local requirements.

STAFF RECOMMENDATION:

Approve



LOCATION MAP
(N.T.S.)

January 15,
2013

Subdivision

Planning and Zoning Commission
Twin Creeks Sec 18 Total Plat Vacation

Item:#
6B2

Associated with SFP-12-017

OWNER: Scott Muller

STAFF: Amy Link, 401-5056, amy.link@cedarparktexas.gov

LOCATION: 3201 Abbotsbury Drive

COUNTY: Travis

AREA: 20.45 acres

ZONING: None (ETJ)

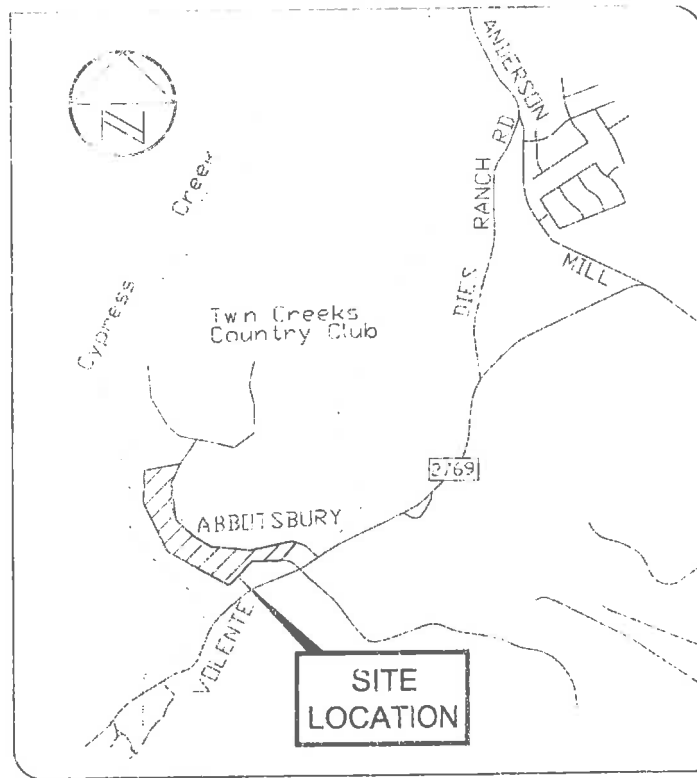
SUBDIVISION DESCRIPTION: 3 residential lots

STAFF COMMENTS:

The property owner requests a total vacation of the existing plat in order to create a new plat consisting of three residential lots.

STAFF RECOMMENDATION:

Approve vacation



December 18,
2012

Subdivision

Planning and Zoning Commission

Twin Creeks Sec 18

Item:#
6B3

Case Number: SFP-12-017

OWNER: Scott Muller

STAFF: Amy Link, 401-5056, amy.link@cedarparktexas.gov

LOCATION: 3201 Abbotsbury Drive

COUNTY: Travis

AREA: 20.45 acres

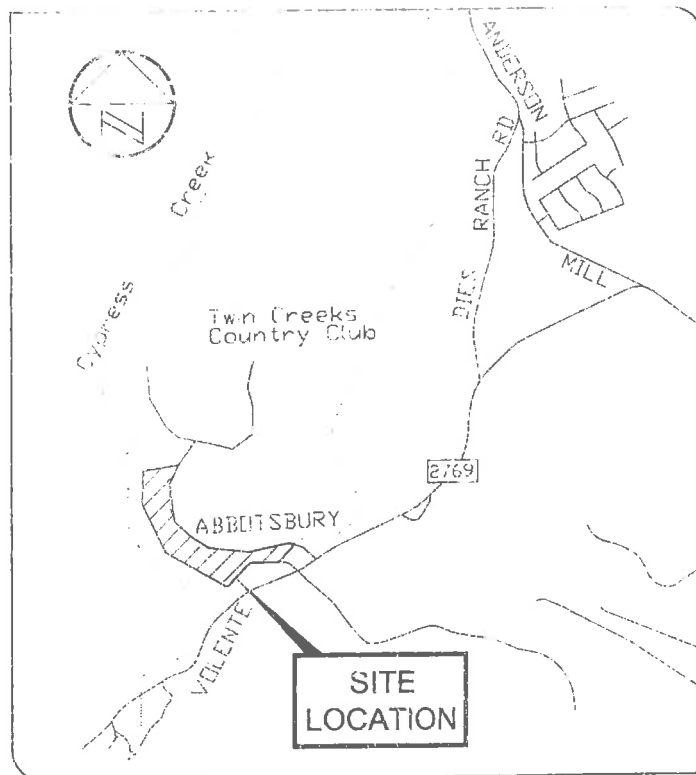
ZONING: None (ETJ)

SUBDIVISION DESCRIPTION: replat one lot into 3 residential lots

STAFF COMMENTS:

In order to address the statutory requirements of the Texas Local Government code this application has been scheduled on the Planning and Zoning Commission agenda. Staff is recommending an action of disapproval at this time as the application has not yet been fully reviewed.

Disapproval of the plat at this time shall not bias future consideration of the application.



January 15,
2013
Zoning

Planning and Zoning Commission
Caspita Industries Inc.

Item:
7A

Case Number: # Z-12-020

OWNER: Caspita Industries Inc.

AGENT: Kristiana Alfsen, Pohl Partners

STAFF: Amy Link, 401-5056, amy.link@cedarparktexas.gov

LOCATION: Old Mill Road, west of Lakeline Boulevard

COUNTY: Williamson

AREA: 10.51 acres

The applicant has requested a postponement to February 19, 2013 to allow time to meet with the surrounding neighborhood.

Staff supports the postponement request.



Z-12-020



January 15, 2013 Zoning	<i>Planning and Zoning Commission</i> Cedar Park Warehouse and Storage	Item: 8A & 9A
Case Number: # Z-12-018		

OWNER: Cedar Park Warehouse and Storage LLC

AGENT: David Singleton

STAFF: Amy Link, 401-5056, amy.link@cedarparktexas.gov

LOCATION: Northeast corner of West Whitestone Boulevard and Power Lane

COUNTY: Travis

AREA: 1.4 acres

EXISTING ZONING: Development Reserve (DR) and Commercial Services (CS)

PROPOSED ZONING: General Retail (GR)

STAFF RECOMMENDATION: General Retail (GR)

EXISTING FUTURE LAND USE DESIGNATION: Industrial

PROPOSED FUTURE LAND USE DESIGNATION: Regional Office/Retail/Commercial

SUMMARY OF REQUEST:

The applicant is requesting original zoning of General Retail (GR) for approximately 0.5 acres and rezoning of approximately 0.924 acres from Commercial Services (CS) to General Retail (GR) for property located at the northeast corner of West Whitestone Boulevard and Power Lane.

EXISTING SITE AND SURROUNDING USES:

The site is currently undeveloped and surrounded by the existing Cedar Park Warehouse and Storage facility to the north (zoned CS), a vehicle storage yard to the east (zoned DR), West Whitestone Boulevard to the south, and Power Lane to the west.

January 15,
2013
Zoning

Planning and Zoning Commission
Cedar Park Warehouse and Storage

Item:
8A & 9A

Case Number: # Z-12-018



Z-12-018



January 15,
2013
Zoning

Planning and Zoning Commission
Cedar Park Warehouse and Storage

Item:
8A & 9A

Case Number: # Z-12-018

PURPOSE OF REQUESTED ZONING DISTRICT:

The General Retail District, GR, is established to provide for business activities that are typically large in scale and are designed to serve the community and the region without negatively impacting the residents of the single-family neighborhoods. This is accomplished by locating these uses at pulse points or activity nodes located at the intersection of arterial roadways, or at pulse points with direct access to major arterial roadways. The GR District allows for more intensive retail, office, and limited commercial land uses under architectural standards that result in consumer-oriented, quality development that promotes economic development and regional enterprise in a positive and sustainable manner for the City.

PERMITTED USES IN GR:

Accessory structures
Administrative offices
Art galleries with retail sales
Art gallery
Automated Teller Machines
Automobile parts and accessories sales
Automobile repair shop
Automobile sales new
Automotive sales used
Automotive tire stores
Bakery retail
Banks
Bar/Cocktail Lounge
Bed and Breakfast
Car washes
Civic clubs and fraternal organizations
Commercial parking lots
Community center
Consumer repair shop (including bicycles)
Convenience store
Day care center adult
Day care center child
Day care center incidental
Drugstores
Dry cleaning and/or laundry on-site
Equipment rental

Food sales general (grocery store)
Food sales limited
Funeral home
Furniture store
Gasoline service stations general
Gasoline service stations limited
Golf amusement
Hardware stores
Home improvement center
Hotel extended stay
Hotel
Indoor sports and recreation
Instant print copy services
Landscape nursery and supply store retail
Laundromat
Liquor store
Medical offices
Motel
Movie and music rentals sales
Non-Emergency Medical Transport Service
Nonprofit seasonal fundraisers
Office/showrooms
Office/warehouse
Personal Improvement Services

Personal services
Pet grooming
Places of worship
Private schools
Professional offices
Public buildings uses
Reception hall
Rental libraries for sound and video recordings
Research and development activities
Restaurant limited
Restaurant general
Retail gift store
Retail stores
Software development
Software sales computer hardware sales
Special events
Studios/art studio dance music drama gymnastics photography interior design
Temporary buildings
Theatres indoor
Theatres outdoor
Transit station
Utility services general
Veterinary Services
Vocational or trade school
Wireless telecommunications facilities

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FUTURE LAND USE PLAN:

The Future Land Use Plan (FLUP) currently identifies the subject area as suitable for Industrial uses, with compatible zoning districts such as Commercial Services (CS), Light Industrial (LI), General Industrial (GI), Heavy Industrial (HI) and Heavy Commercial (HC).

The applicant's request does not comply with the current FLUP. The applicant's request would require a Regional Office/Retail/Commercial designation for the subject tract.

A Future Land Use amendment is being processed in conjunction with this request. Please refer to agenda item (10A).

COMPREHENSIVE PLAN:

Although not consistent with the FLUP, the applicant's request does support the following economic development goals of the Comprehensive Plan:

4.1.6 Economic Development Goals:

- Attract commercial development to Cedar Park in order to reduce tax burden on residential property.
- Diversify and broaden Cedar Park's economic base to keep up with anticipated growth while both keeping taxes competitive and maintaining a high level of City services.
- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment.
- Encourage retail growth within the City that will meet the needs of its citizens and provide increased sales tax revenues.

SITE INFORMATION:

Corridor Overlay:

This tract is located within the Corridor Overlay.

Transportation:

West Whitestone Boulevard is classified as a 4 lane divided major arterial adjacent to the tract. In 2008, the traffic count west of Lakeline Boulevard was 24,048 vehicles trips per day.

Power Lane is a collector roadway.

Water and Wastewater Utilities:

Extension of water and wastewater lines will be required in order to develop this tract.

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Subdivision:

The property is not currently subdivided; however, an application for subdivision of the tract has been submitted.

Setback Requirements:

	General Retail (GR)
Front Setback	25'
Side Setback	12'
Side Setback at street	25'
Rear Setback	5'

Architectural Requirements:

All building exteriors within the GR district are required to be constructed of 100% masonry material, excluding doors and windows.

Case History:

Case Number	Request	P&Z Recommendation	CC Action
Z-10-010	Original zoning of CS	Recommended CS	Approved CS

STAFF COMMENTARY:

Approximately 0.5 acres of the subject site is currently undergoing annexation proceedings and action on the annexation petition is anticipated by the end of February. The remainder of the tract was originally zoned CS in 2010. The tract is located on a "hard" corner of a major arterial and a collector roadway and is adjacent to an office/warehouse development to the north. Considering that West Whitestone Boulevard is a major arterial and entry way into the City, accommodating not only Cedar Park, but the entire region, the applicant's request for GR zoning is appropriate. The GR request is compatible with surrounding land uses/designations and meets the purpose statement of the GR district. The GR request also supports the economic goals of the Comprehensive Plan.

STAFF RECOMMENDATION:

Staff recommends approval of the applicant's request for GR zoning.

PUBLIC INPUT: To date, no public input has been received.

APPLICANT'S NEIGHBORHOOD COMMUNICATION SUMMARY: Not Required

PUBLIC NOTIFICATION: Cedar Park-Leander Statesman January 2, 2013
7 letter notices were sent to property owners within the 300' buffer

PROPOSED CITY COUNCIL HEARINGS: (February 14, 2013) 1ST Reading
(February 28, 2013) 2ND Reading

January 15,
2013
Future Land
Use Plan
Amendment

Planning and Zoning Commission
**Future Land Use Plan Amendment
Cedar Park Warehouse and Storage**

**Item:
10A**

STAFF: Amy Link, 401-5056, amy.link@cedarparktexas.gov

In conjunction with the rezoning request by Cedar Park Warehouse and Storage (Z-12-018), staff is recommending the following amendment to the Future Land Use Plan:

- Amend the Future Land Use Map for approximately 1.4 acres located at the northeast corner of West Whitestone Boulevard and Power Lane from Industrial to Regional Office/Retail/Commercial

A regional designation along West Whitestone Boulevard will encourage retail and office development along a major corridor and entryway into the City. This amendment is supported by the following goals of the Comprehensive Plan:

4.1.6 Economic Development

- Diversify and broaden Cedar Park's economic base to keep up with anticipated growth while both keeping taxes competitive and maintaining a high level of City services
- Improve the tax base of the City by expanding the industrial and commercial base to promote a healthy economic environment
- Attract commercial development to Cedar Park in order to reduce tax burden on residential property

Based upon the information provided, it is recommended that the Future Land Use Plan for the area described above and depicted on the attached Exhibit A be amended as stated.

Below is a summary of how the proposed amendment will affect the land use percentages currently established on the FLUP.

Land Use	Current Area/Percentage		Proposed Amendment/ Percentage		% Change
Employment Center	1392.81 ac	7.19%	1392.81 ac	7.19%	0%
High Density Residential	391.52 ac	2.02%	391.52 ac	2.02%	0%
Industrial	329.78 ac	1.70%	328.38 ac	1.69%	-0.01%
Institutional/Public/Utility	982.73 ac	5.07%	982.73 ac	5.07%	0%
Low Density Residential	9423.14 ac	48.64%	9423.14 ac	48.64%	0%
Medium Density Residential	294.85 ac	1.52%	294.85 ac	1.52%	0%
Neighborhood Office/Retail/Commercial	2141.99 ac	11.06%	2141.99 ac	11.06%	0%
Parks and Open Space	2306.38 ac	11.91%	2306.38 ac	11.91%	0%
Regional Office/Retail/Commercial	2108.30 ac	10.88%	2109.70 ac	10.89%	+0.01%

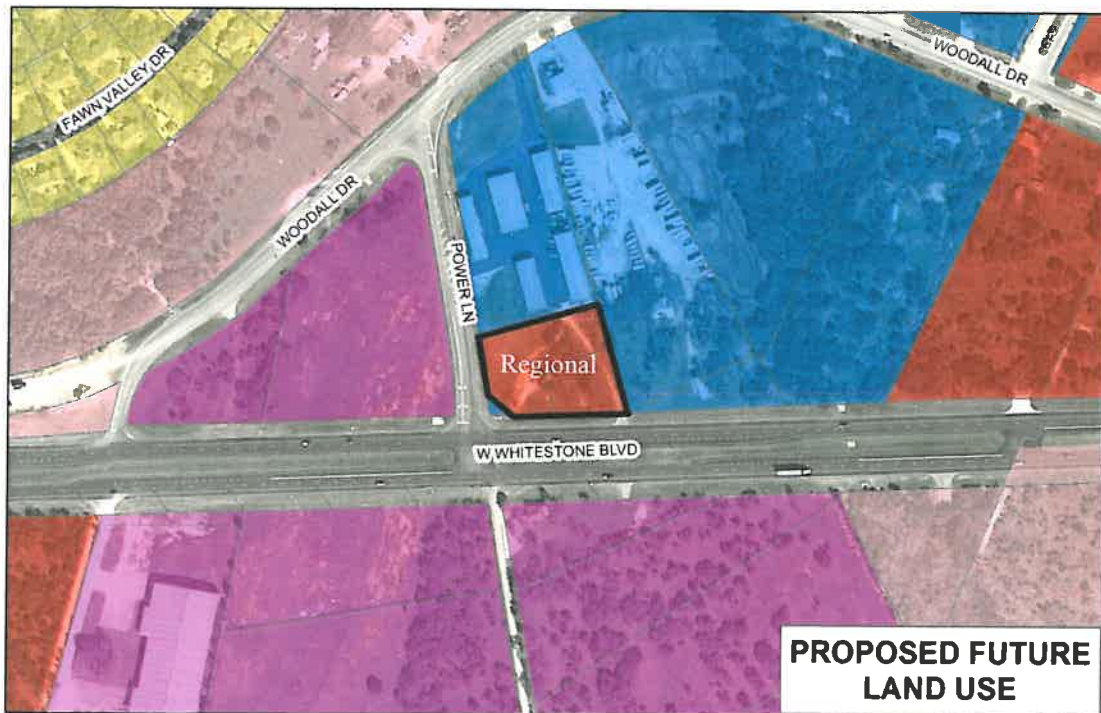
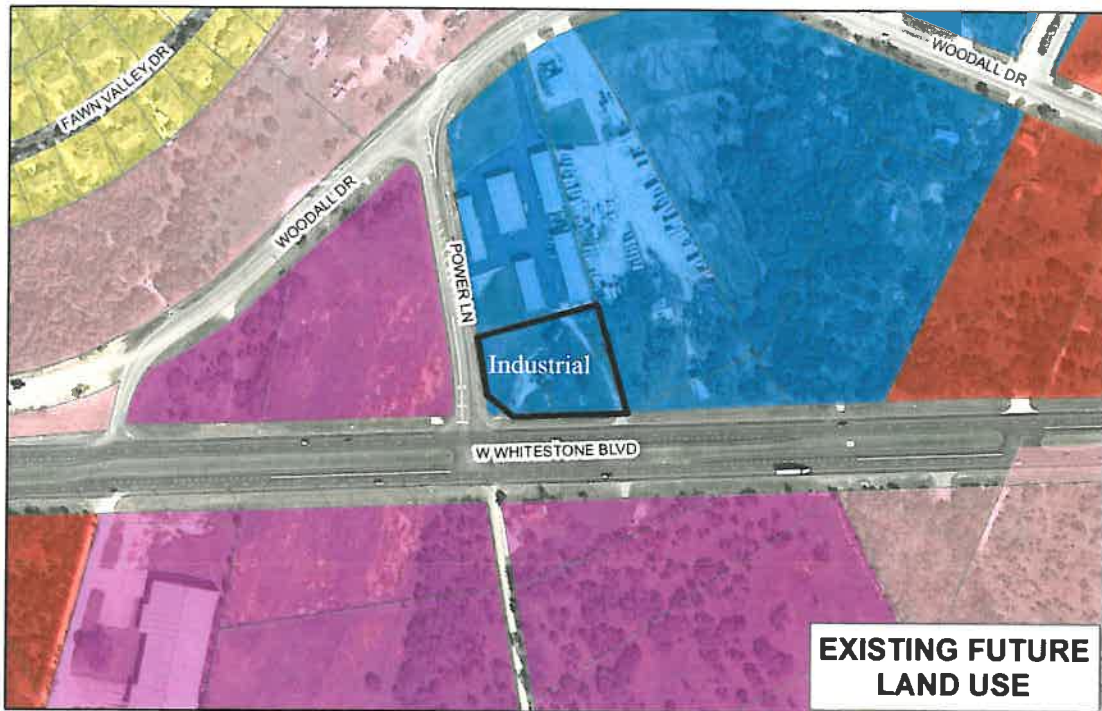
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Future Land Use Plan Amendment Cedar Park Warehouse and Storage

Item:
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EXHIBIT A



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Planning and Zoning Commission

Item:

13A1

Ordinance
Amendment

Ordinance Amendment - Zoning Chapter 11 Regarding Conditional and Special Use Permits

OA-12-005

STAFF: Rawls Howard, 401-5066, rawls.howard@cedarparktexas.gov

Staff is proposing amendments to Division 35 of the Zoning Chapter to modify the existing conditional use regulations and establish a special use permit. A Conditional Use Permit ("CUP") or Special Use Permit ("SUP") may be granted to certain land uses that are not permitted by right in some or all zoning districts of the City, but are nevertheless recognized as being desirable to the full function and development of the City under appropriate circumstances and in conformity with the goals and objectives of the City's Comprehensive Plan. Conditional and special use permits provide a means whereby proposals for such land uses may be examined on a case-by-case basis to determine whether, and under what conditions, these uses may be permitted.

The proposed amendment would delete Sections 11.02.308 through 11.02.314 of Division 35 and rename the Division.

DIVISION 35: CONDITIONAL ~~USE (CU)~~ REGULATIONS AND SPECIAL USE PERMITS (CUP, SUP)

~~Sec. 11.02.308 Purpose~~

~~The Conditional Use regulations are established to provide guidelines for uses determined to be conditional as part of a conditional overlay assigned to a base zoning district or as assigned by Division 37 Land Use Comparison Chart.~~

~~Sec. 11.02.309 Height regulations~~

~~Regulations established by the base zoning district will apply to the conditional use.~~

~~Sec. 11.02.310 Setback regulations~~

~~Regulations established by the base zoning district will apply to the conditional use.~~

~~Sec. 11.02.311 Lot regulations~~

~~Regulations established by the base zoning district will apply to the conditional use.~~

~~Sec. 11.02.312 Off-street parking regulations~~

~~Per Chapter 14, Article 14.05 for off-street parking requirements~~

~~Sec. 11.02.313 Building regulations~~

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~~Regulations established by the base zoning district will apply to the conditional use.~~

~~Sec. 11.02.314 Regulations specific to this district~~

~~A. A conditional use may not:~~

~~a. Unduly negatively affect an adjoining site more than would a permitted use in the base zoning district;~~

~~b. Unduly negatively affect the safety or convenience of vehicular or pedestrian circulation; or~~

~~c. Unduly negatively affect an adjacent property or traffic control through the location, lighting, or type of a sign.~~

~~B. A conditional use will appear on the zoning map as part of the base district assigned to that site with the additional designation of conditional use (CU).~~

~~C. If an applicant includes the CU combining district as part of a zoning or rezoning application, the director of the Planning [and Zoning Commission] shall include the following information in all notices for rezoning required under this division:~~

~~a. the additional use(s) requested by the applicant; and~~

~~b. a statement that additional uses may be permitted by the Council.~~

~~D. A bar/cocktail lounge and/or liquor store may be selected as a conditional use, provided any public entrance to such an establishment is located a minimum of one thousand (1,000) feet from the nearest property line of property owned by a public school district, any private accredited school, any single family or duplex residence, any permanent single family residential district, church, or any day care center.~~

~~E. A conditional use site development permit will be required for the specific conditional use. A conditional use site development permit will require:~~

~~a. Approval by the Planning and Zoning Commission. The Planning and Zoning Commission may require that the conditional use site development comply with additional requirements for:~~

~~i. Open space, buffer, fence, wall, or screen;~~

~~ii. Landscaping;~~

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- ~~iii. Street improvement or dedication, vehicular ingress and egress, or traffic circulation;~~
- ~~iv. Signs;~~
- ~~v. Characteristics of operation, including hours;~~
- ~~vi. Other measures that the Planning and Zoning Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.~~

~~The Planning and Zoning Commission may then:~~

- ~~i. Approve the site plan as proposed by the applicant if the site plan complies with the requirements listed previously;~~
- ~~ii. Approve the site plan pending compliance with the requirements of 11.02.317(E)(a) [11.02.314(E)(a)]; or~~
- ~~iii. Deny the site plan application. If the site plan application is denied a person may not file an application for the same or substantially the same conditional use on the same or substantially the same site for a period of one year from the date of denial.~~

~~The applicant or recognized neighborhood association may appeal the Planning and Zoning Commission's approval or denial of the site plan to the City Council.~~

~~b. A public hearing where the City shall:~~

- ~~i. Publish a public notice in the official newspaper of general circulation in the county in which the municipality is located; not fewer than fifteen (15) days not [nor] more than thirty (30) days prior to said public hearing—AND—~~
- ~~ii. Mail public notification forms, postmarked no fewer than fifteen (15) days prior to the appropriate Planning and Zoning Commission hearing, to the owners of the all property [sic], any part of which is located within two hundred (200) feet of the perimeter of the property that includes the conditional use[.]~~

~~c. Proof of complying with the objectives and purposes of the base zoning district[.]~~

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Below is the proposed language for Division 35.

DIVISION 35: CONDITIONAL AND SPECIAL USE PERMITS (CUP, SUP)

Sec. 11.02.308 Purpose

A Conditional Use Permit ("CUP") or Special Use Permit ("SUP") may be granted to certain land uses that are not permitted by right in some or all zoning districts of the City, but are nevertheless recognized as being desirable to the full function and development of the City under appropriate circumstances and in conformity with the goals and objectives of the City's Comprehensive Plan. Conditional and special use permits shall provide a means whereby proposals for such land uses may be examined on a case-by-case basis to determine whether, and under what conditions, these uses may be permitted.

Sec. 11.02.309 Applicability of Building and Development Regulations

Unless expressly excluded by a conditional or special use permit, regulations established by the base zoning district and Chapter 14 of this Code shall apply to each conditional or special use permit and its permitted use(s).

Sec. 11.02.310 Application

A. Requirements. An application for a conditional or special use permit:

- 1) Shall be in writing, signed by the owner of the subject property, and submitted to the Director of Development Services or their designee in accordance with the Zoning Changes and Amendment procedures of Article 11.10, Division 3, except as otherwise set forth herein this Division;
- 2) If part of or related to a zoning or rezoning application, the conditional or special use application shall be considered separately, and a conditional or special use permit application may not be granted unless the base zoning district is approved and provides for the requested conditional or special use; and
- 3) Shall include a Concept Plan addressing each of the following factors:
 - i. Access, Circulation, Parking, and Loading – Number and location of access points to the property, proposed structures and uses with particular reference to automotive, bicycle, mass transit and pedestrian safety and convenience; traffic flow and control; emergency access; and location of off-street parking, loading spaces, and service areas.
 - ii. Compatibility With Adjacent Properties – General compatibility and appropriateness of the permitted use in relationship to other nearby properties and uses, including consideration of lighting, signage, traffic and

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hours of operation, screening/buffering, landscaping, noise/odors, and other factors.

- iii. Compliance with the goals and objectives of the City's Comprehensive Plan, as amended.

The included Concept Plan shall show the general site layout for the purposes of Planning & Zoning Commission or City Council review of a conditional or special use permit application under this Division, but shall not serve as the site plan or site development application as required by Chapter 14 of this Code.

- B. Successive Applications. No application for any conditional or special use permit or amendment thereto shall be submitted or considered for the same lot, parcel, or portion thereof prior to the expiration of twelve (12) months from the date of the Planning & Zoning Commission or City Council's denial of an application for a conditional or special use permit or amendment thereto.

Sec. 11.02.311 Review Procedure; Amendment & Appeal

- A. Authority. Applications for conditional or special use permits must be processed, noticed, and considered in accordance with the Zoning Changes and Amendment procedures of Article 11.10, Division 3, except that the Planning & Zoning Commission shall have approval authority for Conditional Use Permits and City Council shall have final approval authority for Special Use Permits after a recommendation from the Planning & Zoning Commission, as set forth herein this Division.
- B. Greater Restrictions. In granting a conditional or special use permit, the Planning & Zoning Commission or City Council may:
 - 1) Impose standards, conditions, and requirements in addition to or which supersede those of this Chapter or presented by the applicant, as deemed necessary to advance the purposes and intent of this ordinance, provided that such requirements are directly related to the impacts of the proposed use; and
 - 2) Require that a performance guarantee, acceptable in form, content, and amount to the City, be posted by the applicant to ensure continued compliance with all applicable conditions and requirements.
- C. Findings. In considering each application for a conditional or special use permit, the Planning & Zoning Commission or City Council shall find: (a) if the application is granted, that the application sufficiently addressed each of the Review Factors stated in this Division, and (b) if the application is denied, that the application failed to sufficiently address one (1) or more stated Review Factors.

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- D. Amendments. Upon request by the City or the owner of property subject to a conditional or special use permit, the Planning & Zoning Commission or City Council may amend a permit by following the same procedure as that required for approval of the original permit application. Such amendment may modify, add, or remove conditions on the permit, but shall not alter the permitted use of the property and shall not be submitted or considered prior to the expiration of twelve (12) months from the date the permit or any amendment thereto was approved. Amendments which do not alter the uses permitted or the basic physical relationship of the property to adjacent property, do not increase the density, floor area, or height of permitted improvements, or do not reduce the setback areas about the property as indicated on an approved site plan, may be approved by the Director of Planning Services or their designee.

Sec. 11.02.312 Effect of Permit; Enforcement

- A. Permit Perpetually Binding. Except as otherwise stated in this Division or as expressly specified in the conditional or special use permit, a conditional or special use permit shall be perpetually binding upon and run with the property.
- B. Expiration. A conditional or special use permit is void two (2) years from the date such permit was approved if no progress has been made towards completion of the project, pursuant to Section 245.005 of the Texas Local Government Code, as amended.
- C. Abandonment. If any permitted conditional or special use is discontinued for a period exceeding twelve (12) months or replaced by another use, whether conforming or non-conforming, the conditional or special use permit shall be deemed abandoned and, if the owner fails to demonstrate that the use has not been discontinued for a period exceeding twelve (12) months or has not been replaced by another use, shall be subject to revocation by the Planning & Zoning Commission or City Council pursuant to this Division. For purposes of this Division, abandonment shall be deemed non-compliance.
- D. Non-compliance; Enforcement. Any failure to comply with a condition or restriction of a conditional or special use permit shall be deemed a violation of this Division and may be enforced as follows:
- 1) Revocation of Permit – After written notice to the owner of property subject to a conditional or special use permit advising of such non-compliance, the Planning & Zoning Commission or City Council may revoke such permit on all or part of a development if it finds that the violation was substantially inconsistent with the purpose and intent of the permit;
 - 2) Class C Misdemeanor – The owner of property found to be in violation shall be cited for a Class C Misdemeanor violation, and upon conviction, fined as provided for in the general penalty provision in Section 1.01.009 of this Code, as amended; for those violations that are of a continuous nature, a separate offense

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shall be deemed committed upon each day during or on which a violation occurs or continues and such fine may be levied for each day that a violation exists; and/or

- 3) Civil Proceedings – In addition and without prejudice to the penalties and remedies stated herein, the City may also enforce these provisions and pursue any and all available legal remedies, including but not limited to injunctive relief and recovery of civil penalties under Chapter 54 of the Texas Local Government Code, as amended.

Sec. 11.02.313 Appeals

Any decision of the Planning & Zoning Commission regarding a conditional use permit application or amendment may be appealed by the applicant or any owner of real property within the required 300-foot notification area to the City Council. Such appeal shall be in writing and filed with the Director of Development Services or their designee within fourteen (14) calendar days of the Planning & Zoning Commission's decision.

Amendments to the non-residential zoning district chart are proposed as follows:

11.02.342 Zoning District Chart Nonresidential Districts

P – Permitted by Right C – Conditional Use Permit S – Special Use Permit

Use TO TC GO LR GR CS HC H⁺ BD PS LI GI HI OSG OSR MU

Car Washes	C	P
	<u>S</u>	<u>S</u>

Self Storage		<u>PS</u>
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Boarding Kennels	CS	P
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Ordinance Amendment - Zoning Chapter 11 Regarding Conditional and Special Use Permits

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Telecommunications
Towers

PS

Recreational Vehicle
Park

PS

The general notice provisions of Section 11.10.028 are being modified to require that any proposed conditions associated with a rezoning application be included in the public notice.

Sec. 11.10.028 Procedure before the Planning and Zoning Commission

A. The Planning and Zoning Commission shall hold a public hearing on all proposed changes in zoning regulations or district boundaries and written notice of all such public hearings shall be sent to all owners of real property lying within three hundred (300) feet of the property on which the change in zoning regulations or district boundaries is proposed.

1. Such notice shall be given not less than ten (10) days before the day set for hearing to all such owners who have rendered their property for city taxes as the ownership appears on the last approved city tax roll.
2. Such notice may be served by depositing the same, properly addressed and postage paid, in a United States post office.
3. Where property lying within three hundred (300) feet of the property proposed to be changed is located in territory which was annexed to the city after the final date for making renditions which are included on the last approved city tax roll, notice to such owners shall be given by publishing the same in a newspaper of general circulation in the City of Cedar Park, at least fifteen (15) days prior to the date set for hearing, and which shall state the time and place of such hearing.
4. For property located on a low volume roadway with a speed limit less than 45 miles per hour (mph), 18" x 24" signs shall be placed at intervals of 200 feet along the roadway frontage of the property. For property located on a roadway with a speed limit of 45 mph and greater, 24" x 36" signs shall be placed at intervals of 200 feet along the roadway frontage if [of] the property. No more than three (3) signs

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shall be required on each roadway frontage. If the tract has less than 200 feet of frontage per roadway, then only one sign is required per road.

5. Such notice shall include any condition(s) requested by the applicant and a statement that additional conditions may be added by the Planning and Zoning Commission or City Council.

B. After such hearing, the planning and zoning commission shall make its recommendation regarding the change in zoning regulations and district boundaries. An affirmative vote of four (4) members of the Commission shall be necessary to submit a recommendation to City Council.

C. Each such recommendation made by the Planning and Zoning Commission shall be reported to the city council, in writing, and the applicant shall be notified of the action of the Planning and Zoning Commission.

D. The Planning and Zoning Commission shall establish and maintain a separate file for each application received, and shall record the names and addresses of all persons, firms and corporations to whom notices are mailed, including the date of mailing and the persons by whom such notices were delivered to the United States post office. All records and files herein provided shall be permanent and official files of the City of Cedar Park.

E. If an applicant wishes to postpone or withdraw consideration of an item, the applicant's request must be submitted in writing to the Planning Department by noon the day prior to the scheduled Planning and Zoning Commission meeting. A request for postponement is subject to Planning and Zoning Commission approval.

January 15, 2013

Planning and Zoning Commission

Item:
13A2

Ordinance
Amendment

Ordinance Amendment - Zoning Chapter 11 Grade Definitions and Associated Height Requirements

OA-12-007

STAFF: Rawls Howard, 401-5066, rawls.howard@cedarparktexas.gov

As a result of recent commercial developments within the city, staff is proposing amendments to Chapter 11 – Zoning to add definitions for existing and finished grade and to establish height requirements based upon the existing or finished grade. Defining height requirements for developments based upon the existing or finished grade will ensure better compatibility when commercial developments are constructed adjacent to residential areas.

11.12.002 Terms

Grade, finished: The final elevation of the ground surface after man-made alterations, such as grading, filling, or excavating, have been made on the ground surface.

Grade, existing: The existing grade or elevation of the ground surface that exists or existed prior to man-made alterations, such as grading, filling, or excavating.

Sec. 11.03.001 Single-family Residential/Multifamily Residential Standards – Minimum

Zoning District	RA	MH	ES	SF	SF-1	SF-2	SF-3	TH	CD	DP	MF
Maximum Height	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	48'
	(1)										(6)

6. MF District only, principal structures shall not exceed one story within fifty (50) feet of the property line when it abuts a single-family residential use or ~~a-permanent~~ single-family residential ~~use~~ district. Accessory buildings shall be a maximum of one story, not to exceed fifteen (15) feet in height. Height shall be measured by finished grade if the structure is located more than 100 feet from a single family residential use or single-family residential district. Height shall be measured by existing grade if the structure is abutting or within 100 feet of a single family residential use or single-family residential district.

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Item:

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Ordinance
Amendment**Ordinance Amendment - Zoning Chapter 11
Grade Definitions and Associated Height
Requirements****OA-12-007****Sec. 11.03.002 Office/Commercial/Employment Center Standards**

Zoning District	TO	TC	GO	LR	GR	H	BD	CS	HC	MU
Maximum Height (14)	35'	35'	75' (1)(13)	45' (1)	100' (1)(13)	100' (4)(13)	75' (1)(13)	60' (1)(8)	40' (1)	100' (1) (11)(13)

14. Height shall be measured by finished grade if the structure is located more than 100 feet from a single family residential use or single-family residential district. Height shall be measured by existing grade if the structure is abutting or within 100 feet of a single family residential use or single-family residential district.

Sec. 11.03.003 Industrial Standards

Zoning District	LI	GI	HI
Maximum Height (13)	60' (1)	60' (1)(7)	60' (1)(7)

13. Height shall be measured by finished grade if the structure is located more than 100 feet from a single family residential use or single-family residential district. Height shall be measured by existing grade if the structure is abutting or within 100 feet of a single family residential use or single-family residential district.

Sec. 11.03.004 Institutional/Special District Standards

Zoning District	PS
Maximum Height	60' (1)

1. No portion of a building within one hundred (100) feet of the property line of a single-family residential ~~use~~ district shall exceed thirty five (35) feet in height, excluding public utilities. Height shall be measured by finished grade if the structure is located more than 100 feet from a single family residential use or single-family residential district. Height shall be measured by existing grade if the structure is abutting or within 100 feet of a single family residential use or single-family residential district.

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Ordinance Amendment	Ordinance Amendment - Zoning Chapter 11 Division 14 – Multifamily, Adding Design Requirements for Multifamily Developments	13A3
OA-12-008		

STAFF: Rawls Howard, 401-5066, rawls.howard@cedarparktexas.gov

Staff is proposing amendments to Division 14 of the Zoning Chapter to provide additional design standards for multifamily developments. These standards require greater architectural detailing on the exterior building elevations and ensure development of amenities within the multifamily site. In addition, the standards increase compatibility requirements when multifamily sites are adjacent to single family residential developments.

Based upon comments received at the December 18, 2012 P&Z meeting, staff will present possible modifications to the proposed amendment language at the meeting. This item will be for discussion only.

Addition to Section 11.02.117 Building Regulations

G. Design standards for buildings shall include the following items listed below. Other recognized architectural designs may be approved by the Planning Director in order to permit a more flexible or creative design if found to be keeping with the spirit and intent of this Division.

1. Building elevation variation.

Any wall in excess of 60 feet in length shall include offsets of at least two feet, to preclude a box design. There shall be no less than one offset for every 40 feet of horizontal length.

2. Exterior wall finish.

Exterior building facades must conform to the standards in Section 11.03.001 and Article 11.05. In addition, at least 50% of required masonry materials shall be stone or brick. The use of non-masonry materials shall be limited to accent features.

3. Exterior stairwells.

No stairwells shall be permitted on any exterior building elevation. Stairwells intended for emergency access, not designed for public use, are exempt from this standard.

4. Secondary structures, including garages, mail center kiosks, and other similar structures shall be 100 percent masonry and constructed of similar materials as the principle structure.

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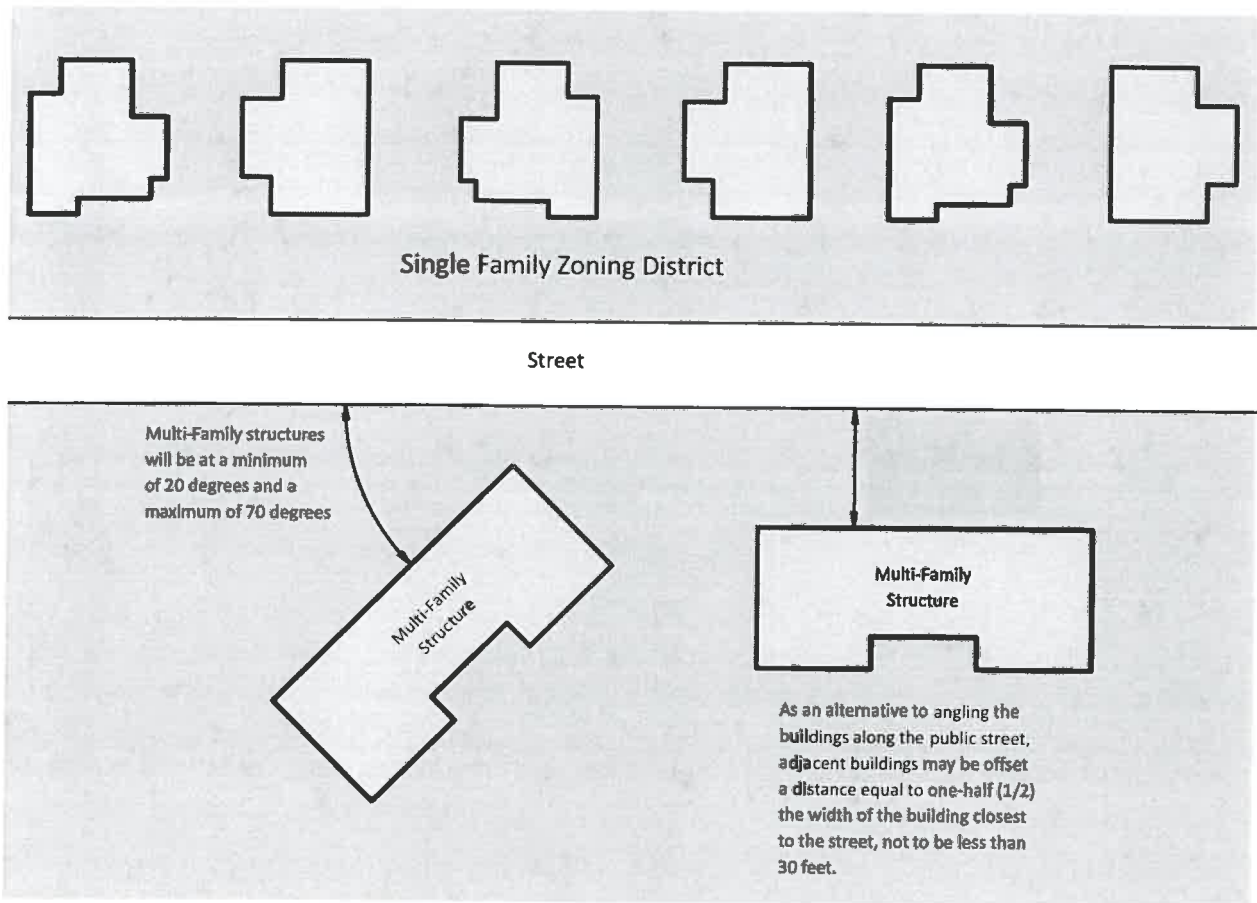
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H. Orientation requirements.

1. Residential buildings adjacent to single family zoning districts and public streets shall be angled, at a minimum, 20 degrees to a maximum 70 degrees.

2. As an alternative to the angling provision for buildings adjacent to public streets, buildings may provide a setback equal to one-half the width of the building closest to the street, not to be less than 30 feet.

3. To illustrate the foregoing orientation requirements, please see the following figure:



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I. Windows. Windows shall be provided with trim and shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb, header and sill.

J. Special design features. A minimum of five (5) features from the following list shall be incorporated into the building design:

1. Bay window.
2. Arched window.
3. Gable window.
4. Oval or round windows.
5. Shutters.
6. Arched entry, balcony or breezeway entrance.
7. Stone or brick accent wall.
8. Decorative stone or brick band.
9. Decorative tile.
10. Veranda, terrace, porch or balcony.
11. Projected wall or dormer.
12. Variation of roof lines on the building.
13. Decorative caps on chimneys.
14. Entry onto the public façade for ground floor units facing the public ROW.
15. Other feature as approved by the Planning Director.

K. Roof-mounted mechanical equipment. All roof-mounted mechanical equipment shall be fully screened from public view. Screening shall utilize the same or similar materials as the principal structure.

Addition to Section 11.02.118 Regulations specific to this district

B. Amenities. At least one amenity accessible to all residents shall be required for each multifamily complex with fifty (50) or more dwelling units. Additional amenities shall be included at the following rate:

Number of Dwelling Units	Minimum Number of Amenities
0-49	1
50-99	2
100-149	3

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150-199	4
200-249	5
250 or more	6

Amenities include but are not limited to the following:

- Playground equipment.
- Fenced dog park, to measure no smaller than 2,500 square feet, with minimum depth twenty-five (25) feet.
- Private fitness facility.
- Picnic area, to contain no fewer than two (2) tables and two (2) cooking grills.
- Swimming pool.
- Business center, to contain no less than one computer, printer, fax machine, copier, and scanner (printer, fax machine, copier, and scanner may be integrated into a single device).
- Tennis court.
- Basketball court.
- Volleyball court.
- Nature trails

C. Garage requirements.

1. No less than fifty percent (50%) of required resident parking shall be within garages.
2. Garages may be part of the dwelling structure.
3. Detached garages shall not consist of more than six (6) garage doors.
5. Garage doors on buildings adjacent to a public street must face internally to the development.

D. Parking and circulation requirements.

1. All remaining required residential parking that is not within garages shall be covered by a canopy that matches the design and materials used on the dwelling structures.

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2. Access to single family alleys from a multifamily development is prohibited, except for emergency access.

E. *Landscaping.* In addition to the regulations located in Article 14.07, all multifamily projects are required to comply with the landscape requirements of the corridor overlay located in Section 14.07.006(B)(6).

Sec. 11.03.001 Single-family Residential/Multifamily Residential Standards – Minimum

Zoning District	RA	MH	ES	SF	SF-1	SF-2	SF-3	TH	CD	DP	MF
Maximum Height	35'	35'	35'	35'	35'	35'	35'	35'	35'	35'	48'
	(1)										(6)

6. MF District only, principal structures shall not exceed one story within fifty (50) feet of the property line when it abuts a single family residential use or a single family residential district. Principle structures located within 50' to 150' of a single family residential use or a single family residential district shall not exceed 35'. Accessory buildings shall be a maximum of one story, not to exceed 15 feet in height.